

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

BANK OF AMERICA, N.A.,

Plaintiff,

v.

ARROW ELECTRONICS, INC.,

Defendant.

Civil Action No. 1:10-cv-00051-LO-TCB

JOINT DISCOVERY PLAN

Plaintiff, Bank of America, N.A. (“Bank of America”), and Defendant, Arrow Electronics, Inc. (“Arrow”), by and through counsel, jointly submit this Discovery Plan pursuant to the Court’s Order dated March 2, 2010, which set a discovery completion date of June 11, 2010. The parties respectfully submit the following Discovery Plan:

1. **Prompt Resolution.** The parties are involved in settlement discussions. To date, however, these discussions have not resolved all issues.

2. **Initial Disclosures under Rule 26(a)(1).** The parties have agreed to waive Rule 26(a)(1) disclosures.

3. **Discovery Plan:**

a. Responses and objections to all written discovery (interrogatories, document requests, and requests for admissions) shall be made in conformity with Federal and Local rules.

b. Written discovery requests must be served no later than 30 days before the close of discovery (June 11, 2010).

c. The parties shall cooperate in the scheduling of depositions of any party or third-party witness and all depositions shall be completed by June 11, 2010.

d. Expert discovery shall run concurrently with fact discovery and be completed by June 11, 2010.

e. Expert depositions, to the extent needed, shall be limited to one deposition for each party.

f. Dispositive motions may be filed at any time.

4. **Mediation.** The parties are discussing the possibility of mediation.

5. Final Pretrial Conference is scheduled for June 17, 2010.

6. Parties shall exchange exhibits, exhibit lists, witness lists and proposed stipulated facts on June 16, 2010.

7. **Trial.** The parties do not consent to trial by a Magistrate Judge.

Dated: March 31, 2010

THE PARTIES RESPECTFULLY ASK FOR THIS:

/s/_____
Michael A. Gatje (VSB No. 26306)
HUSCH BLACKWELL SANDERS LLP
750 17th Street, N.W., Suite 1000
Washington, D.C. 20006
Tel: 202-378-2300
Fax: 202-378-2317
michael.gatje@huschblackwell.com

Jeffrey M. Galen (admitted *pro hac vice*)
Glenn D. Davis
Galen & Davis LLP
16255 Ventura Boulevard, Suite 900
Encino, CA 91436
Tel: 818-986-5685
Fax: 818-986-1859
jeffrey.galen@galendavislaw.com

Counsel for Defendant, Arrow Electronics, Inc.

/s/ _____
Nikolaus F. Schandlbauer (admitted *pro hac vice*)
E. John Steren (admitted *pro hac vice*)
Michael A. Hass (VSB No. 74974)
Ober, Kaler, Grimes & Shriver, P.C.
1401 H Street, N.W., Suite 500
Washington, D.C. 20005
Tel: 202-408-8400
Fax: 202-408-0640
mahass@ober.com

Counsel for Plaintiff, Bank of America, N.A.

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of March, 2010, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Michael A. Hass (Virginia Bar No. 74974)
Ober, Kaler, Grimes & Shriver
1401 H Street, N.W., Suite 500
Washington, D.C. 20005
Counsel for Bank of America, N.A.

/s/

Michael A. Gatje, VSB No. 26306
HUSCH BLACKWELL SANDERS LLP
750 17th Street NW, Suite 1000
Washington, DC 20006
202 378-2300 Telephone
202 378-2319 Facsimile
michael.gatje@huschblackwell.com